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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/527,166	03/09/2005	Hiroyuki Ishikawa	123740	9349
25944	7590	12/17/2007		
OLIFF & BERRIDGE, PLC			EXAMINER	
P.O. BOX 320850			CRUZ, MAGDA	
ALEXANDRIA, VA 22320-4850				
			ART UNIT	PAPER NUMBER
			2851	
			MAIL DATE	DELIVERY MODE
			12/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/527,166	Applicant(s) ISHIKAWA, HIROYUKI	
	Examiner Magda Cruz	Art Unit 2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-8 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03/09/05 & 09/21/07 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>09/21/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 3-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Nishiguchi et al.

Nishiguchi et al. (JP 04-281443 A) disclose:

- Regarding claim 1, a Fresnel lens element group (Figure 1, element 2), each Fresnel lens element being composed of a Fresnel lens surface (Figure 1, element 2a) and a non-lens surface on a surface (Figure 1, element 3) thereof, characterized in that a surface roughness of at least one of the Fresnel lens surface (Figure 1, element 2a) of the Fresnel lens element group (Figure 1, element 2), the non-lens surface of the Fresnel lens element group (Figure 1, element 3), and a sheet surface, on which no Fresnel lens element group is formed, of the Fresnel lens sheet (Figure 1, element 1) is made rougher from the central portion of the Fresnel lens sheet outwardly (clearly illustrated in Figure 1).
- Regarding claim 3, a Fresnel lens sheet (Figure 1, element 1) wherein the difference between the surface roughness of the central portion of the

Fresnel lens sheet and the surface roughness of the outer peripheral portion of the Fresnel lens sheet is 0.1 μm or more to 5.0 μm or less (see abstract, lines 10-15).

- Regarding claim 4, the surface roughness is made rougher continuously or stepwise from the central portion of the Fresnel lens sheet (Figure 1, element 1) outwardly in a radial direction (clearly illustrated in Figures 1 and 2a).
- Regarding claim 5, the surface roughness is made rougher continuously or stepwise from the central portion of the Fresnel lens sheet (Figure 1, element 1) outwardly in a vertical direction (clearly illustrated in Figure 1; see element L).
- Regarding claim 6, the surface roughness is made rougher continuously or stepwise from the central portion of the Fresnel lens sheet (Figure 1, element 1) outwardly in a horizontal direction (clearly illustrated in Figure 1; see element 5).
- Regarding claim 7, the lens shape for diffusing incident light in a vertical direction (clearly illustrated in Figure 1; see element L) is formed on the sheet surface on which no Fresnel lens element group (Figure 1, element 3) is formed.
- Regarding claim 8, a Fresnel lens sheet (Figure 11, element 1) and a lenticular lens sheet (Figure 11, element 30) for diffusing light having passed through the Fresnel lens sheet (Figure 11, element 1).

Allowable Subject Matter

3. Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter:

a. Regarding claim 2, the prior art of record neither shows nor suggests a Fresnel lens sheet wherein an amount of change ($dRa(x)/dx$) of the surface roughness $Ra(x)$ (μm) of at least one of the Fresnel lens surface of the Fresnel lens element group, the non-lens surface of the Fresnel lens element group, and the sheet surface on which no Fresnel lens element group is formed is preferably $0 < dRa(x) / dx < 1.0$.

Response to Arguments

5. Applicant's arguments filed on 09/21/2007 have been fully considered but they are not persuasive.

6. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "the *roughness difference* is for the specified elements") are not recited in the rejected claims. Although the claims are interpreted in light of the specification,

limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

7. The applicant has argued that the prior art does not teach "a surface roughness of at least one of the specified elements made rougher from the central portion of the Fresnel lens sheet outwardly". However, Nishiguchi et al. (JP 04-281443 A) clearly illustrates said limitation in Figure 1.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Magda Cruz whose telephone number is (571) 272-2114. The examiner can normally be reached on Monday through Thursday 8:00-5:30 PM.

Application/Control Number:
10/527,166
Art Unit: 2851

Page 6

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diane Lee can be reached on (571) 272-2399. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Magda Cruz
Patent Examiner

December 8, 2007



DIANE I. LEE
SUPERVISORY PATENT EXAMINER



approved
for entry
12/8/07
hjc

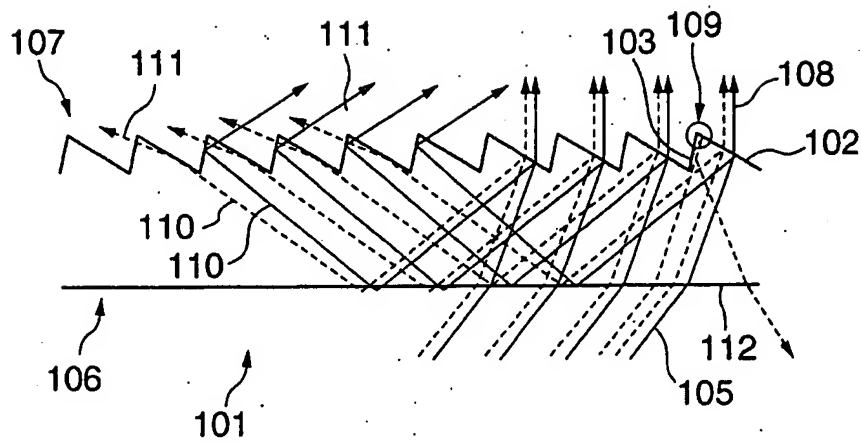


FIG. 9
PRIOR ART

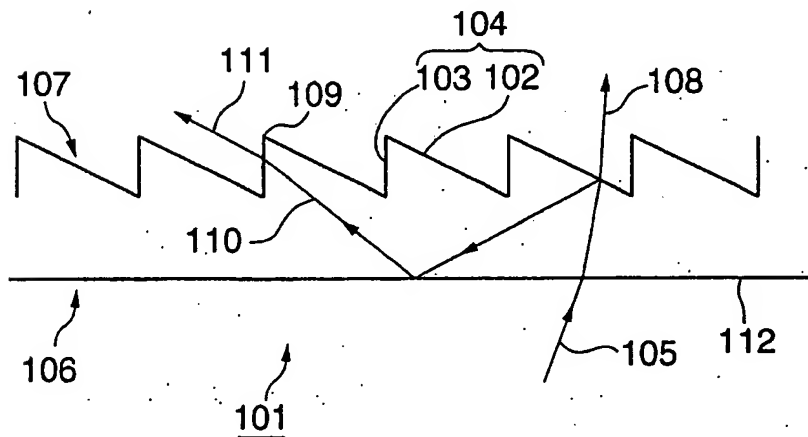


FIG. 10
PRIOR ART